

The extent to which Lincoln would have modified these views today, or may have modified them before his death, is a moot question, but it is clear on its face that he would not have been in sympathy with the Supreme Court's position on desegregation.

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PERHAPS the most discouraging spectacle is the spectacle of Northern newspapers dwelling with pleasure upon the predicament of the Southern parent who is forced to choose between desegregation and no school at all for his child.

It does not seem to occur to the papers that this is the cruelest sort of blackmail; that the North is virtually putting a pistol at the head of the Southern parent in a gesture which every Northerner must contemplate with shame.

Indeed, there now seems little doubt that the court's recent decision has set back the cause of the Negro in the South by a generation.

He may force his way into white schools, but will not force his way into white hearts nor earn the respect he seeks.

What evolution was slowly and wisely achieving, revolution has now arrested, and the trail of bitterness will lead far.

Sincerely yours,  
CARLETON PUTNAM



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## High Court's 'Arrogance' Is Viewed By Northerner

A letter to the President

By CARLETON PUTNAM



Carleton Putnam, who wrote the following to President Eisenhower, is a member of the famous New England Putnam family, a native of New York City, a graduate of Princeton and Columbia, founder and president of Chicago and Southern Airlines (1933-1948), and is on the board of Delta Airlines. He recently published a widely-praised biography of Theodore Roosevelt.

Washington, D. C.  
Oct. 13, 1958

The Hon. Dwight D. Eisenhower  
President of the United States  
The White House  
Washington 25, D. C.  
My dear Mr. President:

A few days ago I was reading over Justice Frankfurter's opinion in the recent Little Rock case. Three sentences in it tempt me to write you this letter.

I am a Northerner, but I have spent a large part of my life as a business executive in the South. I have a law degree, but I am now engaged in historical writing.

From this observation post I risk the presumption of a comment.

The sentences I wish to examine are these: "Local customs, however hardened by time, are not decreed in heaven. Habits and feelings they engender may be counteracted and moderated. Experience attests that such local habits and feelings will yield, gradually though this be, to law and education."

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IT IS MY PERSONAL CONVICTION that the local customs in this case were "hardened by time" for a very good reason, and that while they may not, as Frankfurter says, have been decreed in heaven, they come closer to it than the current view of the Supreme Court.

I was particularly puzzled by Frankfurter's remark that "the Constitution is not the formulation of the merely personal views of the members of this court."

Five minutes before the court's desegregation decision, the Constitution meant one thing; five minutes later, it meant something else. Only one thing intervened, namely, an expression of the personal views of the members of the court.

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IT IS NOT my purpose to dispute the point with which the greater part of Frankfurter's opinion is concerned. The law must be obeyed. But I think the original desegregation decision was wrong, that it ought to be reversed, and that meanwhile every legal means should be found, not to disobey it, but to avoid it. Failing this, the situation should be corrected by constitutional amendment.

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I CANNOT AGREE that this is a matter involving "a few states" as Frankfurter suggests. The picture in reality is of a court, by one sudden edict, forcing upon the entire South a view, and a way of life, with which the great majority of the population are in complete disagreement.

Although not from the legal, in fact from the practical, standpoint the North, which does not have the problem, is presuming to tell the South, which does have the problem, what to do.

To me there is a frightening arrogance in this performance. Neither the North, nor the court, has any holy mandate inherent in the trend of the times or the progress of liberalism to reform society in the South.

In the matter of schools, rights to equal education are inseparably bound up with rights to freedom of association and, in the South at least, may require that both be considered simultaneously. (In using the word "association" here I mean the right to associate with whom you please, and the right not to associate with whom you please.)

In any case the crux of this issue would seem obvious: Social status has to be earned.

Personally I feel only affection for the Negro. But there are facts that have to be faced. Any man with two eyes in his head can observe a Negro settlement in the Congo, can study the pure-blooded African in his native habitat as he exists when left on his own resources, can compare this settlement with London or Paris, and can draw his own conclusions regarding relative levels of character and intelligence—or that combination of character and intelligence which is civilization.

Finally he can inquire as to the number of pure-blooded blacks who have made contributions to great literature or engineering or medicine or philosophy or abstract science.

We were all in caves or trees originally. The progress which the pure-blooded black has made when left to himself, with a minimum of white help or hindrance, genetically or otherwise, can be measured today in the Congo.

Lord Bryce, a distinguished impartial foreign observer, presented the situation accurately in his American Commonwealth when he wrote in 1880:

"History is a record of the progress toward civilization of races originally barbarous. But that progress has in all cases been slow and gradual . . . Utterly dissimilar is the case of the African Negro, caught up in and whirled along with the swift movement of the American democracy. In it we have a singular juxtaposition of the most primitive and the most recent, the most rudimentary and the most highly developed, types of culture . . . A body of savages is violently carried across the ocean and set to work as slaves on the plantations of masters who are three or four thousands years in advance of them in mental capacity and moral force . . . Suddenly, even more suddenly than they were torn from Africa, they find themselves, not only free, but made full citizens and active members of the most popular gov-

ernment the world has seen, treated as fit to bear an equal part in ruling, not only themselves, but also their recent masters."

One does not telescope three or four thousand years into the 70 years since Bryce wrote.

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I WOULD EMPHATICALLY support improvement of education in Negro schools, if and where it is inferior.

Equality of opportunity and equality before the law, when not strained to cover other situations, are acceptable ideals because they provide the chance to earn and to progress—and consequently should be enforced by legal fiat as far as is humanly possible.

Throughout this controversy there has been frequent mention of the equality of man as a broad social objective. No proposition in recent years has been characterized by more loose thinking. Few of us would care to enter a poetry contest with a top-ranking poet. And few would care to play chess with the champion.

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PIN DOWN THE MAN who uses the word "equality," and at once the evasions and qualifications begin. As I recall, you, yourself, in a recent statement used some phrase to the effect that men were "equal in the sight of God."

I would be interested to know where in the Bible you get your authority in Scripture for the concept of potential equality in the sight of God—after earning that status, and with various further qualifications—but where is the authority for the sort of ipso facto equality suggested by your context? The whole idea contradicts the basic tenet of the Christian and Jewish religions that status is earned through righteousness and is not an automatic matter.

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FRANKFURTER closes his opinion with a quotation from Abraham Lincoln, to whom the Negro owes more than to any other man. I, too, would like to quote from Lincoln. At Charleston, Ill., in September, 1858, in a debate with Douglas, Lincoln said:

"I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races; I am not nor ever have been in favor of making voters or jurors of Negroes nor qualifying them to hold office . . . I will say in addition to this that there is a physical difference between the white and black races which I believe will ever forbid the two races living together on terms of social and political equality. And in as much as they cannot so live, while they do remain together, there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."